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1/8/2019

FILED
2/7/2019

PK

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

1:19-CV-155

LARRY MARTIN

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

City of Chicago.
vs.

Detective;

GARCIA, E.

Case No: _____
(To be supplied by the Clerk of this Court)

JUDGE ALONSO
MAGISTRATE JUDGE WEISMAN

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

☒

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)

☐

COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)

☐

OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

I. Plaintiff(s):

- A. Name: Harry Martin
- B. List all aliases: NONE
- C. Prisoner identification number: B58252
- D. Place of present confinement: Western CE
- E. Address: 2300 Rt. 99 South Mt. Sterling, IL 62353

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In **A** below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in **B** and **C**.)

- A. Defendant: GARCIA # Badge No. 13694
 Title: Detective Post No. # 4271A
 Place of Employment: 005th District
- B. Defendant: _____
 Title: _____
 Place of Employment: _____
- C. Defendant: _____
 Title: _____
 Place of Employment: _____

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: Larry Martin vs. City of Chicago, Case No. 1:15-cv-10131
- B. Approximate date of filing lawsuit: 11/16/2015
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: one Larry Martin
- D. List all defendants: Cook County, Cook County State's Attorney, John Doe and Jane Doe for the N
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): United State District Court For the Northern District of Illinois
- F. Name of judge to whom case was assigned: Honorable Joan B. Gottschall
- G. Basic claim made: False arrest and retaliation for testifying by deposition on the Chicago Police
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): Dismissed for want of prosecution, case has been ask to be reopened
- I. Approximate date of disposition: December 14, 2016

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

ON March 14, 2018, ON or about 1:30 PM. I do admitte, that I had a Warrant for an escape Charge. I were walking down the Streets on 54th an Shields, I were going over of one of my friend's house, When the Defendant Det. Garcia, tryed to Stop Me. I due admitte that I ran from him, due to me having a Warrant for my arrest. When I realize that I couldn't out run the Defendant, I Stopped and told him that I give up! Both of us were "Gasping" for air, But When the Defendant got his breath, The Defendant "Hill OFF and Hit Me right in MY Ribs!" on MY left hand Side! The Defendant almost knock Me into the "basement" of this

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

Building that we were standing by. If I had not grab hold of the porch that we were standing by when he hit me, I would have sail into the basement of the building, causing much more serious injuries than he did. The Defendant, than "Slam" me to the "ground," before he place the handcuffs on me. Before all of this place, I had been stab in my back on my left hand side about a month earlt. The impact from the Defendant's Blow, to my "Ribs" cause my stab wound to "Burst," and reopen. I started bleeding "seriously" bad. When the Defendant got me to the Police Station, He put "Two" bandages on my wound to try and "stop" the bleeding. The Defendant then state to me, "Thank God! That you didn't fall down into that "Basement"!" When I were talking to the Cook County

(State what relief you want from the court.)

RELIEF REQUESTED

Jail, I were seen by a Doctor, who Clean my wound. When The Doctor were cleaning my wound I can see my "intestines" sticking out. Due to the infall were just flat hard; I had to see a Nurse for a month and a half before my wound hill, getting treatment. It felt like my ribs were "Fractured" and I were "Urinating" up blood out of my "penis."

I were already in "CUB to die, and getting ready to go to Jail for my Warrant. There were "NO" reason for The Defendant's Action, for most Police Brutality against Me.

On May 26, 2018, I wrote a letter to the Chicago Police Headquarters complaining about what took place on March 14, 2018, But I received "NO" respond back from them. See my copy letter to the Chicago Police Headquarters.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

The Plaintiff Prays That This Honorable Court Would Compensate The Plaintiff as He deems necessary, and reasonable

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this _____ day of _____, 20____

Danny Martin
(Signature of plaintiff or plaintiffs)

Larry Martin
(Print name)

B58252
(I.D. Number)

2500 Rt. 99 South
Mt. Sterling, IL 62353
(Address)

Whit Thz I.A.D.

5126/18

Patrol

To Chicago Police Headquarter;

PCS
College

I have a complaint against one of your officers. A Detective on case No. #18-CR0450501. On March 15, 2018, I had a Warrant for an escape; in which I ran from the Detective, when he tried to stop me.

But I also stopped and told the Detective that I give-up you got me! Both of us were gasping for air, but when the Detective got his breath, he half off and hit me right in my "ribs" causing my stab wound to reopen; I were bleeding all over the place. He got me to the station and put two bandage on my wound to help stop the bleeding.

When he hit me I almost fall into the basement of this building; in which I would have needed serious medical attion. The hit to my ribs reopen my wound, which took a month on a half to rehilled; my ribs were also "fractured"; I were urinating up blood out of my penis. Detective ~~Pars~~ said "Think God" I didn't go down into that basement.

I waited untill I left Cook County before I reported this; in fear of retaliation.

Danny Martin

over

Program Sentence Credit (PSC) Goal Statement

Western Illinois Corr. Ctr.
Facility

EX 1

Offender Name: Martin, LarryID#: B58252

- ☒ Adult Basic Education (ABE) ☐ Advanced ABE ☐ Adult Secondary Education (ASE) ☐ College Vocational
☐ 2 Year College Degree ☐ 4 Year College Degree ☐ Contact Hour Vocational / Work Training Program

Goal Period: ☒ 45 Instructional Days Attended ☐ Other (Specify): _____Absence Policy - Student shall not exceed 15 days absent during the goal period.Enrollment Date: 6.4.18Projected Completion Date: 10.4.18Completion Date: 8.17.18

ABE/Advanced ABE/ASE: Complete if a grade level gain is required:

TABE Form/Level: D.9TABE Form/Level: D.10Pre-Test Grade Level: 4.6Post Test Grade Level: 6.4Date Tested: 5.22.18Date Tested: 8.22.18Increase achievement level by: ☒ 3.4 Grade Level☐ Passing the HSE exam upon receiving credentialed results from GED manager☐ Passing two sections of the HSE☐ Scoring a 10.0 in Math and Reading on the A Level TABE☒ Student shall meet the following performance goal(s) (specify): Score a 8.0 or T on TABE.☐ Contact Hour Vocational Program/Work Training☐ College Vocational☐ College Academic

Program or Course Number/Name (specify): _____

Successfully complete (check applicable box): ☐ _____ number of skills specified on curriculum checklist☐ _____ credit hours☐ _____ credit hours with a grade "C" or above in each subject.

Other (specify): _____

M. D. [Signature]

Instructor/College Coordinator/Program Staff

6.4.18

Date

P. Wood

Educational Facility Administrator

6/5/18

Date

I, the undersigned, hereby agree to the goal statement requirements contained herein in order to receive the additional .50 Program Sentence Credit (PSC) for educational, work training, or vocational program participation. I understand that these goals may be revised during the goal period under certain conditions and failure to achieve these goals shall result in no award of PSC.

I understand that any of the following actions shall result in immediate termination from the program with no award of PSC:

- Removal from the program for disciplinary reasons;
- Exceeding the one-third absence policy or college absence policy, as identified above;
- Voluntarily transferring to another facility; or
- Early termination from the program for other reasons in accordance with Department Rule 107F.

I understand that if I am removed from the program for disciplinary reasons that are later fully reversed or reduced to a minor infraction I may appeal for reconsideration of a PSC award for days attended within six months of the date of the reversal or reduction. In addition, as part of the goal statement requirements, I agree to maintain appropriate classroom behavior and complete classroom assignments to the best of my ability.

I hereby affirm that I have read and understand the requirements necessary to complete the goal statement. I further acknowledge my eligibility for participation in the Program Sentence Credit program as contained in 730 ILCS 5/3-6-3 and if I am not in fact eligible for Program Sentence Credit, I understand that credit earned or awarded shall be revoked.

Larry Martin

Offender's Signature

B-58252☐ Offender refused to sign

Initials

6.4.18

Date

Date

Program Sentence Credit (PSC) Goal Statement

Revised Goals:

Date of Revision: _____ Program: _____

Goal Revision: _____

Offender's Signature

ID#

Date

Program Staff's Name

Date

Facility Program Administrator's Name

Date

Goal Evaluation

☐ Award Recommended

Goal period completed on: _____

☐ Goals met☐ Satisfactory progress as evidenced by: _____

Days subject to Program Sentence Credit

Total days in goal period: _____

Less days not eligible: _____

Total days eligible: _____

☐ Agency Transfer (Non-disciplinary)☐ ATC/E.D.☐ In-house transfer☐ Class Close/interruption☐ PC/Security☐ HSE☐ Other (Explain) _____☒ Award Not RecommendedGoal period ended on: 8-17-18; no credit earned☐ Removed for disciplinary reasons☐ Transferred☐ Quit program☒ Other (Explain) Failed to reach goal.DAVID M. GASHO

Print Name of Instructor/Advisor

Michael D. Gasho

Signature of Instructor/Advisor

8-17-18

Date

Print Name of College Coordinator/Program Staff

Signature of College Coordinator/Program Staff

Date

Phil WoodPhil Wood8/23/18

Print Name of Facility Program Administrator

Signature of Facility Program Administrator

Date